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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,899	09/30/2003	Dan Jones	45098.00010.UTL1	8061
36183	7590	11/20/2006	EXAMINER	
PAUL, HASTINGS, JANOFSKY & WALKER LLP P.O. BOX 919092 SAN DIEGO, CA 92191-9092			MOORE JR, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/676,899	JONES ET AL.	
	Examiner	Art Unit	
	Michael J. Moore, Jr.	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 September 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 64-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 64-86 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 April 2005 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Specification***

Applicant's amendments made to the specification to obviate objections of the previous Office Action are acknowledged. However, it is suggested that Applicant provide these amendments in proper form by using a strike-through for deleted text and underlining for added text. See 37 C.F.R. 1.121(b).

### ***Claim Objections***

Amendments made by Applicant to claims **69-72, 78-80, and 82-86** to obviate the claim objections presented in the previous Office Action are proper and have been entered. These objections have been withdrawn.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **64-86** are rejected under 35 U.S.C. 102(b) as being anticipated by Ludwig et al. (U.S. 6,237,025) (hereinafter “Ludwig”). *Ludwig* teaches all of the limitations of the specified claims with the reasoning that follows.

Regarding claim **64**, “a method of routing messages between endpoints during a collaborative communication session” is anticipated by the two-party conferencing call establishment method shown in Figure 23.

“Receiving a message from an endpoint engaged in the collaborative communication session” is anticipated by the AVNM 63 of Figure 21 that receives a request (message) from the caller’s Collaboration Initiator (endpoint) to place a video call to the callee with the specified address as shown by step (5) of Figure 23 and spoken of on column 22, lines 10-12.

“Determining a destination address from the message and identifying a domain associated with the identified destination address” is anticipated by AVNM 63 of Figure 21 that queries the Service server 69 to find a service instance corresponding to the callee’s address (destination address) that identifies the location (domain) of the callee’s Collaboration Initiator as spoken of on column 22, lines 12-17.

Lastly, “wherein the domain determines how the message is routed” is anticipated by the service instance discovered by the AVNM 63 of Figure 21 that indicates whether the callee is local or at a remote site (domain) and the corresponding forwarding (routing) of the request depending upon the service instance.

Regarding claim 65, “wherein a destination endpoint and domain are associated with an instance of a media service participating in the multimedia collaboration session” is anticipated by AVNM 63 of Figure 21 that queries the Service server 69 to find a service instance corresponding to the callee’s address (destination endpoint address) that identifies the location (domain) of the callee’s Collaboration Initiator as spoken of on column 22, lines 12-17.

Regarding claim 66, “wherein a destination endpoint and domain are associated with an instance of a control service participating in the multimedia collaboration

session" is anticipated by AVNM 63 of Figure 21 that queries the Service server 69 to find a service instance (control instance) corresponding to the callee's address (destination endpoint address) that identifies the location (domain) of the callee's Collaboration Initiator as spoken of on column 22, lines 12-17.

Regarding claim 67, "wherein the destination endpoint and domain are associated with a user participating in the multimedia collaboration session" is anticipated by AVNM 63 of Figure 21 that queries the Service server 69 to find a service instance corresponding to the callee's address (destination endpoint address) that identifies the location (domain) of the callee's (user) Collaboration Initiator as spoken of on column 22, lines 12-17.

Regarding claim 68, "wherein the endpoint and destination endpoint belong to different domains" is anticipated by the caller's Collaboration Initiator (endpoint) as well the callee (destination endpoint) located at a remote site as spoken of on column 22, lines 3-24.

Regarding claim 69, "wherein the destination endpoint and domain are associated with a service, and wherein the service is local to the destination endpoint's domain" is anticipated by the service instance discovered by the AVNM 63 of Figure 21 that indicates whether the callee is local or at a remote site (domain).

Regarding claim 70, "wherein the destination endpoint and domain are associated with a service, and wherein the service is remote from the destination endpoint's domain" is anticipated by the service instance discovered by the AVNM 63 of Figure 21 that indicates whether the callee is local or at a remote site (domain).

Regarding claim 71, "wherein the destination endpoint and domain routing configuration utilizes peer-to-peer communication" is anticipated by the caller's Collaboration Initiator (endpoint) as well the callee (destination endpoint) located locally as spoken of on column 22, lines 3-24.

Regarding claim 72, "wherein the destination endpoint and domain are associated with a service, and wherein the service is a component of a distributed collaborative communication service" is anticipated by the discovered service instance by AVNM 63 of Figure 21.

Regarding claim 73, "wherein the distributed collaborative communication service comprises a video service" is anticipated by the videoconferencing spoken of on column 21, lines 44-64.

Regarding claim 74, "wherein the distributed collaborative communication service comprises an audio conferencing service" is anticipated by the videoconferencing spoken of on column 21, lines 44-64.

Regarding claim 75, "wherein the distributed collaborative communication service comprises a file sharing service" is anticipated by the data conferencing (file sharing) spoken of on column 26, lines 27-63.

Regarding claim 76, "a system for routing messages between endpoints during a collaborative communication session" is anticipated by the collaboration system shown in Figure 1.

"A receiver configured to receive a multi-media message from an endpoint engaged in the collaborative communication session" is anticipated by the AVNM 63

(receiver) of Figure 21 that receives a request (multi-media message) from the caller's Collaboration Initiator (endpoint) to place a video call to the callee with the specified address as shown by step (5) of Figure 23 and spoken of on column 22, lines 10-12.

"An identification module configured to determine a destination address and domain associated with the destination address" is anticipated by AVNM 63 (Identification module) of Figure 21 that queries the Service server 69 to find a service instance corresponding to the callee's address (destination address) that identifies the location (domain) of the callee's Collaboration Initiator as spoken of on column 22, lines 12-17.

"Wherein the domain determines the routing of the message" is anticipated by the service instance discovered by the AVNM 63 of Figure 21 that indicates whether the callee is local or at a remote site (domain) and the corresponding forwarding (routing) of the request depending upon the service instance.

Lastly, "a transmitter configured to route the multi-media message to a destination endpoint in accordance with the identified domain" is anticipated by AVNM 63 of Figure 21 (transmitter) that forwards (routes) the request (multi-media message) locally or to a remote location as spoken of on column 22, lines 18-24.

Regarding claim 77, "wherein the endpoint and destination endpoint belong to different domains" is anticipated by the caller's Collaboration Initiator (endpoint) as well the callee (destination endpoint) located at a remote site as spoken of on column 22, lines 3-24.

Regarding claim 78, “wherein the destination endpoint and domain are associated with a service, and wherein the service is local to the destination endpoint’s domain” is anticipated by the service instance discovered by the AVNM 63 of Figure 21 that indicates whether the callee is local or at a remote site (domain).

Regarding claim 79, “wherein the destination endpoint and domain are associated with a service, and wherein the service is remote from the destination endpoint’s domain” is anticipated by the service instance discovered by the AVNM 63 of Figure 21 that indicates whether the callee is local or at a remote site (domain).

Regarding claim 80, “wherein the destination endpoint and domain routing configuration utilizes peer-to-peer communication” is anticipated by is anticipated by the caller’s Collaboration Initiator (endpoint) as well the callee (destination endpoint) located locally as spoken of on column 22, lines 3-24.

Regarding claim 81, “wherein the domain further comprises core services” is anticipated by the service instance discovered by the AVNM 63 of Figure 21 that indicates whether the callee is local or at a remote site (domain).

Regarding claim 82, “wherein the domain is one of a plurality of domains that comprise a collaborative communication service that enable endpoints to engage in the collaborative communication session” is anticipated by the caller’s Collaboration Initiator (endpoint) as well the callee (destination endpoint) located at a remote site as spoken of on column 22, lines 3-24.

Regarding claim 83, "wherein the service is a distributed collaborative communication service" is anticipated by the discovered service instance by AVNM 63 of Figure 21.

Regarding claim 84, "wherein the distributed collaborative communication service comprises a video service" is anticipated by the videoconferencing spoken of on column 21, lines 44-64.

Regarding claim 85, "wherein the distributed collaborative communication service comprises an audio conferencing service" is anticipated by the videoconferencing spoken of on column 21, lines 44-64.

Regarding claim 86, "wherein the distributed collaborative communication service comprises a file sharing service" is anticipated by the data conferencing (file sharing) spoken of on column 26, lines 27-63.

### ***Response to Arguments***

3. Applicant's arguments filed 9/22/06 have been fully considered but they are not persuasive.

Regarding claim 64, Applicant argues that *Ludwig* fails to disclose determining a destination address from a message received from an endpoint engaged in a collaborative communication session. Applicant further argues that the CMW is not engaged in a collaborative communication session at the time the request is transmitted to the AVNM, but rather is attempting to establish a communication session.

However, it is unclear from the claim language what constitutes being "engaged in a collaborative communication session". As the caller's Collaboration Initiator

(endpoint) is logged in with the AVNM 63 (Figure 23), and is communicating (engaged) with the AVNM 63 and Directory Service 66 to establish a connection with a callee, it is held that this constitutes being engaged in a collaborative communication session. It is therefore held that *Ludwig* anticipates claim 64.

Regarding claim 76, Applicant argues that *Ludwig* fails to disclose an identification module configured to determine a domain, wherein the domain determines the routing of a multi-media message. Applicant further argues that there is no disclosure in *Ludwig* of a domain that determines the routing of a multi-media message, as claimed.

However, it is unclear from the claim language what constitutes a “multi-media message”. As the caller’s Collaboration Initiator (endpoint) sends a request (multi-media message) to AVNM 63 to place a video call to a callee with a specified address (step 5 of Figure 23) as spoken of on column 22, lines 10-12, it is held that this request constitutes a “multi-media message” as this request is associated with the establishment of a video call.

Applicant also argues that *Ludwig* fails to disclose a transmitter configured to route the multi-media message to a destination endpoint in accordance with the identified domain.

However, *Ludwig* teaches AVNM 63 of Figure 21 (transmitter) that forwards (routes) the request (multi-media message) locally or to a remote location (domain) as spoken of on column 22, lines 18-24. It is therefore held that *Ludwig* anticipates claim 76.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (8:00am - 4:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached at (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner  
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